

Message Text

PAGE 01 STATE 092677

43

ORIGIN ARA-10

INFO OCT-01 ISO-00 L-02 SCA-01 OES-05 SAB-01 H-02 VOE-00

INSE-00 /022 R

DRAFTED BY ARA/PAN:HLSTEIN:ZC
APPROVED BY ARA/PAN:RWYROUGH
ARA/MGT:MR.LINVILLE
L/SCA:MR. BOYD
SMITHSONIAN:MR. DEUKER

----- 130204

R 222257Z APR 75
FM SECSTATE WASHDC
TO AMEMBASSY PANAMA

UNCLAS STATE 092677

E.O. 11652: N/A
TAGS:AMGT, CFED, PN, US
SUBJECT: PROPOSED STRI-GOP AGREEMENT

1. CIRCULAR 175 AUTHORIZATION TO CONCLUDE EXCHANGE OF NOTES WITH GOVERNMENT OF PANAMA TO ENABLE SMITHSONIAN TROPICAL RESEARCH INSTITUTE TO ESTABLISH OPERATIONS IN PANAMA HAS BEEN OBTAINED. ACCORDINGLY EMBASSY IS REQUESTED TO SEND THE FOLLOWING NOTE TO THE GOP.

2. BEGIN QUOTE YOUR EXCELLENCY:

THE SMITHSONIAN INSTITUTION, AN INSTRUMENTALITY OF MY GOVERNMENT, IS AUTHORIZED BY THE CONGRESS OF THE UNITED STATES OF AMERICA AND THE REGENTS OF THE AFORESAID INSTITUTION TO ENGAGE IN ACTIVITIES TO PROMOTE RESEARCH, EDUCATION, AND CONSERVATION OF THE TROPICAL ZONES IN BOTH THE NEW AND OLD WORLDS.

SUCH ACTIVITIES ARE CARRIED OUT BY THE SMITHSONIAN INSTITUTION THROUGH ONE OF ITS BUREAUS, NAMELY, THE SMITHSONIAN TROPICAL RESEARCH INSTITUTE (HEREINAFTER RE-UNCLASSIFIED

PAGE 02 STATE 092677

FERRED TO AS THE "INSTITUTE"). THE SMITHSONIAN TROPICAL RESEARCH INSTITUTE IS ENTRUSTED BY THE CONGRESS WITH THE PRESERVATION AND STUDY OF BARRO COLORADO ISLAND IN THE PANAMA CANAL ZONE, MAINTAINS LABORATORIES IN VARIOUS OTHER

LOCATIONS

WITHIN THE SAME ZONE, AND DESIRES TO EXPAND ITS ACTIVITIES IN THE REPUBLIC OF PANAMA. WITH RESPECT TO THE PROPOSED EXPANSION OF THE ACTIVITIES OF THE SMITHSONIAN TROPICAL RESEARCH INSTITUTE, IT IS HEREBY PROPOSED THAT OUR GOVERNMENTS AGREE AS FOLLOWS:

AGREEMENT

1. THE INSTITUTE SHALL CARRY OUT IN THE REPUBLIC OF PANAMA ACTIVITIES AND RESEARCH OF AN EXCLUSIVELY SCIENTIFIC NATURE IN THE FIELD OF TROPICAL BIOLOGY, INCLUDING STUDIES ON THE ECOLOGY OF THE ISTHMUS OF PANAMA, SUBJECT TO NOTIFICATION TO THE GOVERNMENT OF THE REPUBLIC OF PANAMA, THROUGH THE MINISTRY OF HEALTH.

2. THE INSTITUTE SHALL DEFRAY COMPLETELY THE COST OF THE ACTIVITIES AND RESEARCH THAT IT CARRIES OUT, AND IT SHALL BE OBLIGED TO KEEP THE REPUBLIC OF PANAMA INFORMED OF ALL THE ACTIVITIES AND RESEARCH, AND TO FURNISH IT WITH THE RESULT OF THE RESEARCH FREE OF CHARGE.

3. THE INSTITUTE SHALL FURNISH THE REPUBLIC OF PANAMA FUNDAMENTAL INFORMATION ON THE ECOLOGY OF THE ISTHMUS, AND SHALL COOPERATE IN THE EXECUTION OF THE RESEARCH AND PROGRAMS AGREED UPON.

4. THE REPUBLIC OF PANAMA AUTHORIZES THE INSTITUTE TO ESTABLISH OFFICES, FIELD STATIONS, LABORATORIES, AND WORKSHOPS FOR THE ACTIVITIES AND RESEARCH MENTIONED IN POINT 1, ABOVE, AND AND, CONSIDERING THE BENEFITS THAT THE REPUBLIC OF PANAMA WILL DERIVE FROM THE SCIENTIFIC RESEARCH WORK AND ACTIVITIES CARRIED OUT BY THE INSTITUTE, THE REPUBLIC OF PANAMA GRANTS TO THE INSTITUTE THE FOLLOWING PRIVILEGES:

A. EXEMPTION FROM ALL NATIONAL TAXES, REAL OR PERSONAL, UNCLASSIFIED

PAGE 03 STATE 092677

WITH THE EXCEPTION OF:

(I) INDIRECT TAXES OF THE KIND NORMALLY INCLUDED IN THE PRICE OF MERCHANDISE OR SERVICES;

(II) ESTATE OR INHERITANCE TAXES;

(III) TAXES AND LEVIES ON PRIVATE INCOME ORIGINATING IN PANAMANIAN TERRITORY, AND TAXES ON CAPITAL THAT ARE LEVIED ON COMMERCIAL INVESTMENT IN THE REPUBLIC OF PANAMA;

(IV) TAXES OR LEVIES CORRESPONDING TO SERVICES

RENDERED; AND

(V) REGISTRATION, LITIGATION, AND MORTGAGE FEES,
AND STAMP TAXES.

B. EXEMPTION FROM THE OBLIGATION TO PAY THE CONTRI-
BUTIONS REQUIRED BY LAW TO THE SOCIAL SECURITY FUND
ON THE WAGES OR REMUNERATIONS THAT THE INSTITUTE PAYS
ITS FOREIGN SCIENTISTS AND TECHNICIANS WHO DO NOT
HAVE PERMANENT RESIDENCE IN THE REPUBLIC OF PANAMA.

THIS EXEMPTION IS EXTENDED TO THE INSTITUTE AND TO
ITS AFORESAID SCIENTIFIC AND TECHNICAL PERSONNEL.

C. EXEMPTION FROM PAYMENT OF ALL KINDS OF CUSTOMS
DUTIES, TAXES, AND RELATED CHARGES, OTHER THAN CHARGES
FOR STORAGE, TRANSPORTATION, AND SIMILAR SERVICES, ON
THE GOODS, EQUIPMENT, AND MATERIALS OWNED BY THE IN-
STITUTE WHICH ARE INTENDED EXCLUSIVELY FOR THE OPER-
ATION OF ITS OFFICE AND THE USE OF ITS PERSONNEL.
TITLE MAY NOT BE TRANSFERRED THROUGH PURCHASE OR GIFT
WITHOUT PRIOR PAYMENT OF THE PERTINENT CHARGES.

IT IS UNDERSTOOD THAT IF THE INSTITUTE DECIDES TO
CONSTRUCT ITS BUILDINGS, IT MAY BENEFIT FROM THE
EXEMPTION GRANTED HEREIN FROM PAYMENT OF ALL KINDS OF
CUSTOMS DUTIES, TAXES, AND RELATED CHARGES, ONLY WITH
RESPECT TO GOODS THAT ARE NOT PRODUCED IN PANAMA.
UNCLASSIFIED

PAGE 04 STATE 092677

EXEMPTION GRANTED HEREIN FROM PAYMENT OF ALL KINDS
OF CUSTOMS DUTIES AND TAXES SHALL EXTEND TO MOTOR VE-
HICLES AND MAJOR APPLIANCES PURCHASED BY ITS FOREIGN ,
SCIENTIFIC PERSONNEL FOR THEIR PERSONAL USE, PROVIDED
THAT TITLE THERETO MAY NOT BE TRANSFERREDTHROUGH
PURCHASE OR GIFT WITHOUT PRIOR PAYMENT OF THE PERTINENT
CHARGES. - - -

D. ISSUANCE OF VISAS AND PERMITS TO REMAIN IN THE
COUNTRY TO THE FOREIGN SCIENTISTS AND TECHNICIANS CON-
TRACTED BY THE INSTITUTE TO WORK IN PANAMA.

E. EXEMPTION OF THE FOREIGN SCIENTISTS CONTRACTED BY
THE INSTITUTE TO SERVE IN THE REPUBLIC OF PANAMA, WHOSE
REPATRIATION IS GUARANTEED BY THE INSTITUTE, FROM THE
OBLIGATION OF MAKING A REPATRIATION DEPOSIT AND FROM
ANY TAX,LEVY, OR CHARGE WITH RESPECT TO IMMIGRA-
TION.

F. EXEMPTION FROM COMPLIANCE WITH THE LAWS REGARDING
PROTECTION OF PANAMANIAN WORKERS, WITH RESPECT TO THE
HIRING OF FOREIGN SCIENTISTS AND TECHNICIANS BY THE

INSTITUTE. THE INSTITUTE SHALL NOTIFY THE MINISTRY OF LABOR AND SOCIAL WELFARE, FOR ALL LEGAL PURPOSES, OF THE ARRIVAL IN PANAMA OF THE FOREIGN SCIENTISTS AND TECHNICIANS WHOM IT HIRES. IN ALL CASES IT MUST VOUCH FOR THE CONTRACTED ALIEN'S STATUS AS A TECHNICIAN OR SCIENTIST, IF HE IS TO BE EMPLOYED FOR MORE THAN SIX (6) MONTHS.

5. UPON REQUEST BY THE REPUBLIC OF PANAMA, THE INSTITUTE SHALL PERMIT THE USE OF ITS LABORATOIES, SHOPS, AND FIELD STATIONS FOR SCIENTIFIC RESEARCH AND WORK WHEN THIS IS POSSIBLE AND PRACTICABLE.

6. THIS AGREEMENT SHALL BECOME EFFECTIVE UPON THE ACCEPTANCE OF YOUR GOVERNMENT, AND SHALL REMAIN IN EFFECT UNTIL ONE OF THE PARTIES EXPRESSES ITS DESIRE TO TERMINATE IT, WHICH MUST BE STATED AT LEAST ONE YEAR PRIOR TO THAT DATE ON WHICH THE PARTY WISHES THE CONTRACT TO END.
UNCLASSIFIED

PAGE 05 STATE 092677

7. ACCORDINGLY, IF THE GOVERNMENT OF PANAMA CONCURS, I PROPOSE THAT THIS NOTE AND THE NOTE IN REPLY FROM YOUR EXCELLENCY COMMUNICATING YOUR GOVERNMENT'S CONCURRENCE SHALL CONSTITUTE AN AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF PANAMA.

ACCEPT, SIR, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION. END QUOTE

3. PLEASE ADVISE WHEN EMBASSY RECEIVES NOTE OF REPLY FROM GOP. ARA/PAN POUCHING COPY OF APPROVED CIRCULAR 175 MEMORANDUM FOR EMBASSY'S INFORMATION. KISSINGER

UNCLASSIFIED

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 22 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE092677
Document Source: ADS
Document Unique ID: 00
Drafter: ARA/PAN:HLSTEIN:ZC
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D750142-0237
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197504103/baaaahrb.tel
Line Count: 199
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN ARA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 16 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 Sep 2003 by MorefiRH>; APPROVED <05 JAN 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> sph 971001; sph 971001; sph 971001
Subject: n/a
TAGS: AMGT, CFED, PN, US
To: PANAMA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006